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BEVERLY ALLEN, and on Behalf of the Class

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Attorneys for Defendants

PROTECTIVE LIFE INSURANCE COMPANY and  
EMPIRE GENERAL LIFE INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BEVERLY ALLEN, Individually and on )  
Behalf of the Class, )

Plaintiff, )

vs. )

PROTECTIVE LIFE INSURANCE )  
COMPANY and EMPIRE GENERAL LIFE )  
INSURANCE COMPANY, )

Defendants. )

CASE NO. 1:20-cv-00530-NONE-JLT

**JOINT STIPULATION EXTENDING  
TIME FOR DEFENDANTS TO RESPOND  
TO COMPLAINT; [PROPOSED] ORDER**  
(Doc. 8)

1 Plaintiff BEVERLY ALLEN (“Plaintiff”) and Defendants PROTECTIVE LIFE INSURANCE  
2 COMPANY and EMPIRE GENERAL LIFE INSURANCE COMPANY (collectively, the  
3 “Defendants”), by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 6 and L.R. 144(a),  
4 respectfully submit this stipulation and proposed order to extend the time for Defendants to answer or  
5 otherwise respond to Plaintiff’s Complaint as follows:

6 WHEREAS, Plaintiff filed her Complaint against Defendants on April 13, 2020 (Doc. 1);

7 WHEREAS, Defendants were served with the Summons and Complaint on April 16, 2020;

8 WHEREAS, Defendants’ response to the Complaint is presently due on or before May 7, 2020;

9 WHEREAS, Plaintiff has agreed to provide Defendants with an additional forty-five (45) day  
10 period within which to answer or otherwise respond to the Complaint, making Defendants’ response  
11 now due on or before June 22, 2020;

12 WHEREAS, good cause exists for this extension as Defendants’ counsel has just been assigned  
13 to this case, the current COVID-19 pandemic has caused a delay in access to information necessary for  
14 Defendants’ counsel to evaluate the individual and class allegations asserted in the Complaint, and  
15 Defendants’ counsel therefore requires additional time to become knowledgeable about the Complaint’s  
16 allegations in order to prepare an initial responsive pleading;

17 WHEREAS, this is the first extension of time requested by Defendants, and Defendants have  
18 not previously received any extension to respond to the Complaint;

19 WHEREAS, the parties have also agreed that they shall hold the conference pursuant to  
20 Federal Rule of Civil Procedure 26(f) on or before July 6, 2020, and that the parties’ conference shall  
21 take place telephonically.

22 WHEREAS, the filing of this Joint Stipulation does not constitute a waiver of any defenses that  
23 Defendants may have, including, but not limited to, the defenses of lack of personal jurisdiction, lack  
24 of subject matter jurisdiction, and improper venue;

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff  
26 and Defendants, through their respective counsel, that Defendants shall have to and including June 22,  
27 2020, to answer or otherwise respond to Plaintiff’s Complaint. Pursuant to L.R. 137 and L.R. 144(a), a  
28 proposed order approving this extension is contained within this Joint Stipulation.

1 DATED: May 4, 2020

NICHOLAS & TOMASEVIC, LLP

2  
3 By: /s/ Craig M. Nicholas (w/ permission)  
CRAIG M. NICHOLAS  
ALEX TOMASEVIC

4 Attorneys for Plaintiff BEVERLY ALLEN  
5

6 DATED: May 4, 2020

MAYNARD, COOPER & GALE, LLP

7  
8 By: /s/ Nicholas J. Boos  
NICHOLAS J. BOOS

9 Attorneys for Defendants PROTECTIVE LIFE  
10 INSURANCE COMPANY and EMPIRE  
11 GENERAL LIFE INSURANCE COMPANY  
12

13 **ORDER**

14  
15 Based upon the stipulation of the parties, the Court **ORDERS** the defendants to respond to the  
16 complaint no later than June 22, 2020.  
17

18 IT IS SO ORDERED.

19 Dated: May 4, 2020

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE